

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 3606-03  
Bill No.: Perfected HCS for HB 1692  
Subject: Alcohol; Business and Commerce; Counties.  
Type: Original  
Date: April 8, 2002

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**FISCAL SUMMARY**

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
General Revenue	\$1,500	\$1,800	\$1,800
<b>Total Estimated Net Effect on <u>All</u> State Funds</b>	<b>\$1,500</b>	<b>\$1,800</b>	<b>\$1,800</b>

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
None			
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
<b>Local Government</b>	<b>\$3,187</b>	<b>\$3,825</b>	<b>\$3,825</b>

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 4 pages.

**FISCAL ANALYSIS**

### ASSUMPTION

Officials from the **Department of Public Safety - Liquor Control (DLS)** state this bill amends Sections 311.178 to allow qualified licensed resorts in Camden, Miller and Morgan counties to remain open each day of the week until 3:00 a.m. of the morning of the following day. The resort's previous year annual gross sales must be \$100,000 or more. A resort is defined as any establishment having at least 75 rooms for transient guests, having at least 3,000 square feet of meeting space and having a restaurant on the premises. Applicants granted this permit must pay a \$300 license fee.

DLS assumes that 6 establishments would seek a special permit as outlined in Section 311.178. The estimated increase in license fees would be approximately \$1,800 (6 x \$300) per year. DLS states that Section 311.220, RSMo, allows cities to charge one and one-half the state liquor license fee amounts and counties to charge an amount equal to the state liquor license fee amount. DLS assumes that seventy-five percent of the licensees that will obtain an extended hours license are located within a municipality. Therefore, the cities will collect additional revenues of \$2,025 ( $\$1,800 \times 1.5 \times 75\%$ ). The counties' additional revenue collection will equal the state revenue increase of \$1,800.

DLS also assumes that one additional agent (at \$36,012) will be needed in the Lake of the Ozarks area for the additional work load associated with monitoring the sales of alcoholic beverages until 3:00 a.m. at the resorts. DLS assumes the total cost, including fringe benefits and expense and equipment, for the additional agent would be roughly \$62,000 per year.

**Oversight** assumes DLS will be able to assume any additional responsibilities resulting from this proposal with current resources and will not require the additional agent.

Officials from the **Department of Public Safety - State Water Patrol (DWS)** state if the sale of liquor from 1 a.m. to 3 a.m. is confined only to overnight transient guests, there should be minimal impact on boating traffic. But, if that is not the intent, then the costs related to this proposal are not in DWS' current budget.

Officials from **Camden County** state there could be extra prisoner costs due to increased driving-while-intoxicated and boating-while-intoxicated charges.

**Oversight** assumes this proposal is for resorts to serve liquor until 3:00 a.m. to their transient guests and therefore will not result in a significant number of driving-while-intoxicated or boating-while-intoxicated charges.

### ASSUMPTION (continued)

In response to similar legislation from this year (SCS for SB 912), officials from the **Office of the State Public Defender** assumed that existing staff could provide representation for those few cases arising where persons were charged with serving alcohol to persons without overnight accommodations at the resort. However, passage of more than one similar bill would require the State Public Defender System to request increased appropriations to cover cumulative cost of representing the indigent accused in the additional cases.

In response to similar legislation from this year (SCS for SB 912), officials from the **Office of the State Courts Administrator** assumed this proposal would not fiscally impact their agency.

Officials from **Miller County** and **Morgan County** did not respond to our request for fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
<b>GENERAL REVENUE FUND</b>			
<u>Income</u> - 3:00 a.m. liquor license fees	<u>\$1,500</u>	<u>\$1,800</u>	<u>\$1,800</u>
<b>ESTIMATED NET EFFECT TO THE GENERAL REVENUE FUND</b>	<b><u>\$1,500</u></b>	<b><u>\$1,800</u></b>	<b><u>\$1,800</u></b>
 <u>FISCAL IMPACT - Local Government</u>	 FY 2003 (10 Mo.)	 FY 2004	 FY 2005
<b>CITIES</b>			
<u>Income</u> - 3:00 a.m. liquor license fees	\$1,687	\$2,025	\$2,025
<b>COUNTIES</b>			
<u>Income</u> - 3:00 a.m. liquor license fees	<u>\$1,500</u>	<u>\$1,800</u>	<u>\$1,800</u>
<b>ESTIMATED NET EFFECT TO CITIES AND COUNTIES</b>	<b><u>\$3,187</u></b>	<b><u>\$3,825</u></b>	<b><u>\$3,825</u></b>
 <u>FISCAL IMPACT - Small Business</u>			

The proposed legislation could impact resorts located in Camden, Miller, and Morgan counties.

### DESCRIPTION

This proposal permits qualified licensed resorts in Camden, Miller, and Morgan counties to remain open each day of the week until 3:00 a.m. The time of opening on Sunday may be 11:00 a.m. The resort's previous year's annual gross sales must be \$100,000 or more. A resort is defined as any establishment having at least 75 rooms for transient guests, at least 3,000 square feet of meeting space, and a restaurant on the premises.

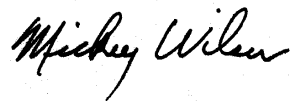
The licensee is only allowed to sell intoxicating liquor to guests with overnight accommodations at the resort during this extended time period.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

### SOURCES OF INFORMATION

Department of Public Safety  
Liquor Control  
Missouri Water Patrol  
Camden County  
Office of the State Public Defender  
Office of the State Courts Administrator

**NOT RESPONDING:**      **Miller County, Morgan County**



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April 8, 2002